

City of Carmel

MINUTES

Carmel Board of Zoning Appeals

Regular Meeting

Monday, May 18, 2009

6:00 PM

Caucus Rooms

Present: James Hawkins (President)
Kent Broach
Leo Dierckman
Earlene Plavchak
Madeleine Torres
Connie Tingley (Recording Secretary)

Staff members in attendance: Mike Hollibaugh, DOCS Director
Christine Barton-Holmes, Planning Administrator
Rachel Boone, Planning Administrator
Darren Mast, Code Enforcement Inspector

Legal Counsel: John Molitor

Previous Minutes

On a motion made by Earlene Plavchak and seconded by Madeleine Torres

The Minutes for the meeting dated April 27, 2009 were approved as circulated.

MOTION CARRIED UNANIMOUSLY

Department Report: Christine Barton-Holmes

- Item 1h, Consecro-Higher Education withdrawn by Petitioner
- Items 6-7h, Rangeline Commercial tabled to June 22, 2009
- Item 8h, Lowe's Outdoor Storage needed waiver for length of Public Notice (4 days late)

Legal Report: John Molitor

Recommended approving waiver of notice requirement for Item, 8h, Lowe's Outdoor Storage

Motion:

On a motion made by Earlene Plavchak and seconded by James Hawkins

The rules would be waived for length of Public Notice for Item 8h, Docket No. 09040024, Lowe's Outdoor Storage.

MOTION CARRIED UNANIMOUSLY

Legal Report continued: John Molitor

- Item 1i, Docket No. 09020014, 646 Johnson Drive Appeal
 - Lawsuit filed against Mr. Lewis on behalf of the Plan Commission

- Some discussion for mediation
- Could lead to mediation without BZA involvement
- No objection from Mr. Lewis for tabling
- Recommend tabling until something to report on behalf of Plan Commission
- Leo Dierckman and Madeleine Torres recused for this matter in any BZA Hearing

Motion:

On a motion made by James Hawkins and seconded by Kent Broach:

Docket No. 09020014 V, 646 Johnson Drive Appeal, would be tabled to the June 22, 2009 meeting.

**MOTION CARRIED UNANIMOUSLY
(3-0 Dierckman & Torres abstained)**

Action:

Mr. Molitor recommended re-ordering agenda to hear Item 2-5h, Blackwell Park at the beginning of the Agenda for the large amount of public in attendance

Motion:

On a motion made by Leo Dierckman and seconded by Madeleine Torres

The agenda to be re-ordered with Item 2-5h, Docket Nos. 0903007, Blackwell Park heard first.

MOTION CARRIED UNANIMOUSLY

Public Hearing - Old Business:

2-5h. Blackwell Park

The applicant seeks the following development standards variances for eight parcels:

Docket 09030007 V	Section 8.04.02.D	Reduction of minimum lot area
Docket 09030008 V	Section 8.04.03.A	Reduction in minimum front yard setback
Docket 09030009 V	Section 8.04.03.E	Reduction in minimum lot width
Docket 09030010 V	Section 8.04.03.F	Increase in maximum lot coverage

The sites are located at 3rd Street NE and are zoned R2. They are not in the Old Town Overlay District.
Filed by Justin Moffett.

Present for the Petitioner:

Justin Moffett, behalf of himself and Jeff Langston, Heartwood Custom Homes

- Recap
 - 2.7 acres
 - Strict application of R-2 not allow grid like development in harmony with neighboring properties
 - Commit to abide by Old Town Overlay for architecture (Chapter 23)
 - Old Town Overlay does not permit front-load garages
- Additional information requested at last meeting
 - **One:** low spot wetland characteristics
 - Alt-Witzig Engineering letter and map included in packets
 - Plant and soil indicators that dictate wetland area
 - Size determines how a wetland is controlled
 - Area is 6300 square feet or .144 acres
 - Wetland is not regulated by State or Federal government under quarter acre (.25)

- Considered isolated wetland; not attached to existing body of water
 - Therefore, exempted and developable area
 - Poor drainage from past development creates the situation
- **Two:** better communication with neighborhood group
 - Key challenge was figuring out how to communicate with each other
 - Met one week ago to talk through issues
 - Sought feedback from presentations to group
 - Revised site plan
 - Homes with varying architectural styles
 - No front loading garages
 - Lot width
 - Larger lot size for variation
 - More main level square footage
 - Lowered rooflines
 - Worked with City to be contact sensitive
 - Lots 5 and 6 and existing platted southeast corner lot
 - Full two-story would not be appropriate with neighboring houses
 - Make common area smaller and move proposed lot from west side to east side of 3rd Avenue
 - Enable 60-foot or greater lots on the east side of road
 - Enable 58-foot or greater lots on the west side of road
 - 10-foot buffer on north side of parcel
 - Storm water would take .2 acres
 - Half would be dry basin or vegetated basin
 - Naturalistic and heavily planted
 - Will work with Engineering Department
- Tonight's plan addresses changes
 - Lot width from 50 to 58
- Positive meeting with neighborhood
 - Not everyone fans, but would not remonstrate tonight

Favorable:

Laura Corry, 340 2nd Avenue NE, neutral as spokesperson, Friends of Old Town

- Communication
 - Letter from her in file
 - Communicated with Justin Moffett several occasions
 - 2 neighborhood meetings
 - 1 small group meeting
 - Several individual meetings
- Lot size study
 - Study area: 3rd Street N, 1st Avenue E, Sylvan Lane West with 90 homes
 - 65% have 70-foot lots or greater
 - 35% less than 70-foot
 - Revised site plan from meeting Monday, May 11 with Mr. Moffett
 - Would not reduce number of homes from a budget standpoint
 - Neighbors would like eclectic architectural mix of quality homes with various prices and sizes

- Drainage, traffic and buffers are major issues
 - Mr. Moffett has not submitted new plans covering these issues
- How do Friends of Old Town hold Mr. Moffett accountable?
- Revised plans emailed to neighbors for feedback
 - Revised plan agreeable to several who attended meeting
 - Some do not believe he has met his hardship for variances
 - Some want fewer homes
 - Some do not feel compromise has been reached after dialogue
 - Some concerned about loss of animal habitat
 - Deer, fox, woodpeckers, owls

Linda Westerfeld, 441 2nd Avenue NE

- Several meetings before Justin invited
 - Caused contention within group
 - Two meetings Justin has listened and tried to do the most he can
 - For price of land, there was nothing he could do
 - Would try to make homes amicable to the neighborhood

Remonstrance:

Brian Borlik, 145 Audubon Drive

- Caused perception of lack of communication
 - Unable to attend meetings with Justin
- Double whammy; smaller lot with more home on lot
- Not in keeping with neighborhood
- Transition area between R-2 and R-3
 - 10-foot buffer would not allow for preservation of mature trees
 - 50 to 58-foot lots is progress
 - Just take one home out of the woods
 - Less apprehension from neighbors
- Price of property not a proven hardship

Bill Greenwood, 311 5th Street NE

- Less houses would be better
- Impact on animal life and surrounding houses
- Great change to way of life

Brent Westerfeld, 241 2nd Avenue NE, south of property

- Agrees with previous speakers
- People buy houses in areas assuming zoning and development standards will not be varied
- Not extreme circumstances for variances; he wants to make a profit
- Properties already platted
- Concerned about existing mature trees; clear cut would make extreme change
- Currently platted as transition to Old Town

Public Hearing closed.

Rebuttal:

Justin Moffett

- Appreciated Laura Corry's and other's time spent, and concern for neighborhood
- Old Town area does not include Sylvan Lane
 - Large lots that change statistics
 - Lot sizes in Old Town would reduce the statistics
 - Sylvan Lane and Audubon Drive are meets and bounds areas; not grid areas like Old Town
- Committed to eclectic group of homes; work with Planning Staff
 - Change roof lines
 - Varied elevations
- Not a density bonus
- Consistent with R-2 density standards
- Drawing submitted of traditional R-2 subdivision platting requirements
 - 80-foot lot width
 - Over 10,000 square feet
 - Detention would be within the platted lots
 - No common area
 - Possible to develop with same number of lots
 - Require front-load garages
 - Not many trees preserved
 - Cul-de-sac created
- Felt compromised to better fit R-2 standards and Old Town Overlay
 - Grid system with alley in back

Department Report

Christine Barton-Holmes

- Believes overall plan fits Old Town in general
 - Variances meet Old Town Overlay standards
 - Urge Petitioner to work with Urban Forester to preserve buffer around site and individual large trees
 - Commit to Old Town process and SDR process for variety

Department recommended positive consideration

Discussion:

- Cul-de-sac plan not need variances
 - Mr. Greenwood thought it might be okay
 - Except at back of properties close to his property line
 - Ground is low with drainage problems
 - Selling price forced 10 lots and division among neighbors
- Wetland of .144 acres is exempt
 - Not difficult to build on
 - Engineering study for green area/wetland
 - Only platted with approved drainage plan
 - Civil engineer will do final plans for drainage after approval process
 - Low spot common in development; caused by grading in previous development
 - Not best soil, but not unbuildable or unusable

- Common area would have naturalistic features instead of large swale pond
 - Storage area shrunk within common area by oversized pipe
 - Larger pipe about same expense
- Northern lots 5 and 6 and existing southeast lot would have lower scale homes
- Statutory requirements for granting variance:
 - Strict application creates hardship
 - Ability to build without variances
 - Neighbors concerned and affected by variances
 - Not more or less expensive
- Hardships:
 - Neighbors will not get look they want
 - Architecture not fit Old Town
 - Traditional R-2 will require front-loading garages
 - Lots lower in rear to handle detention
 - Three new homes neighbors do not like meet R-2 guidelines
 - Front-load garages
 - Scale of houses
 - Development on 1st Avenue NW meets R-2 guidelines, but does not fit character of Old Town
 - No common area
 - Detention within easements on each lot
 - Front-load garages
 - Vinyl-sided homes
 - Caused development of Old Town guidelines
 - Neighbors and City Planning Staff do not want homes that go with R-2 development
- Development with R-2 guidelines
 - Rear-load garages with drive along side of house
 - Detention in rear with swales
 - Different grading plan
- Proposal looks environmentally friendly
 - Larger buffer from existing neighbors
 - Open green area
 - Aesthetically more pleasing
 - Better fit for area

John Molitor clarified Development Standards hardship

- Confusion over hardship justifying a variance
- According to City Ordinance and State law
 - Strict application would result in practical difficulties in use of the property
 - Not quite as high of a standard as proving a hardship
 - Practical difficulties may or may not be a hardship in some people's minds

Commitments:

- Follow Old Town Overlay guidelines for architectural standards including SDR process (Chapter 23)
- No wet detention pond; vegetation defined by Engineering Department
- Three lots on 2nd Avenue NE will not have duplexes (under separate purchase agreement)
- Lots 5 and 6 and existing southeast platted lot will not have full two-story homes for reduced rooflines to accommodate residents
- 10-foot landscape buffer along the north side
- Work with City Staff and Urban Forester for tree preservation

Discussion:

- Comparable lot sizes around development
 - 3rd Avenue NE platted lots on west side
 - 2nd Avenue NE lots backing up to 3rd Avenue NE
 - 48, 52, 52, 66 corner
 - Previous site plan mirrored these lots with 50-foot lots and 66-foot corner
 - Sylvan Land and Audubon Drive area are meets and bounds lots
 - Several acres in size
 - Some one-third acre
 - Not a standard average lot width for the parcels

Motion:

On a motion made by Madeleine Torre and seconded by Leo Dierckman

Docket Nos. 0903007 V through 09030010 V, Blackwell Park, be approved, with all Commitments stated.

MOTION CARRIED UNANIMOUSLY

Public Hearing - New Business:

1h. Consecro – Higher Education WITHDRAWN

The applicant seeks the following use variance approval:

Docket No. 09030003 UV Appendix A: Use Table Private higher education institution in M3 District

The site is located at 1289 City Center Drive and is zoned M3/Industrial Park.

Filed by Jeff Groth of Consecro for Franklin University

2-3h. Kenney Fence

The applicant seeks the following development standards variances for a residential fence:

Docket 09040001 V Section 25.02.02 Fence height over six feet

Docket 09040002 V Section 25.01.01.B.3.b Fence within landscaping easement

The site is located at 13068 Andover Drive and is zoned R1/Single-Family Residential.

Filed by Matthew A. Kenney, owner.

Present for the Petitioner:

Matthew Kenny, 13068 Andover Drive, Carmel

- Replace existing fence with 8-foot fence
- Move 20 feet into planting easement
 - Met Urban Forester's approval

- Replacement of trees unnecessary
- Cut some limbs to install fence
- Existing 7-foot fence knocked down by weather

Public Hearing closed.

Department Report:

Christine Barton-Holmes

- Within platted landscape easement; no drainage or utilities in easement
- Urban Forester gave approval
- Similar in height to other fences in area
- Moved closer to neighbor's fence to the west
- Better to screen house from noise and light along 131st Street
- Work with Urban Forester for replacement trees for hardiness and screening

Department recommended positive consideration.

Motion:

On a motion made by Leo Dierckman and seconded by Earlene Plavchak

Docket Nos. 09040001 V through 09040002 V, Kenney Fence, be approved.

MOTION CARRIED UNANIMOUSLY

4h. Verizon 116th/Rangeline Shed

The applicant seeks the following special use amendment for an existing cell site:

Docket 09040003 SUA Chapter 25.13 Amendment to existing cell site – new equipment shed

The site is located at 1776 E 116th Street and is zoned B3/Business.

Filed by Robert V. Clutter of Clark Quinn Moses Scott & Grahn for Verizon Wireless.

Present for the Petitioner:

Bob Clutter, One Indiana Square, Suite 2200, Indianapolis

- Located NE corner 116th & Range Line, behind Woodland Shoppes
- Add to existing cell tower
- 90-foot monopole tower
 - Propose to co-locate at 80 feet
- Insufficient ground space around tower for equipment shelter
 - Shelter 30 feet by 12 feet
 - Additional lease area 32 feet by 45 feet
 - Expand lease by 1400 square feet to surround with fence and landscaping
- Aerial shown with current monopole and equipment shelter
 - Behind commercial buildings and unobtrusive
 - Proposed 1440 square-foot lease area
 - Access easement on side opens to rear parking lot
- Landscape plan with ice-bridge lines to protect cables going to tower
 - Aggregate equipment shelter with generator contained for commercial power failure
 - Fence and 6 to 7-foot evergreens for visual barrier
- Cell coverage maps for site; existing and extended coverage/capacity
 - Lot of cellular traffic in area
- Photo of existing tower and shelter with antenna at 90-foot level

- New antenna co-locate at 80-foot level
- New shelter south of existing shelter

Public Hearing closed.

Department Report:

Christine Barton-Holmes

- Usually handled administratively but this one expanding more than 10%
- Located in heavy commercial area with no immediate residences
- Equipment shelter well screened
- Expansion of existing use

Department recommended positive consideration.

Discussion:

- Antenna space; accommodate three
 - Possible carrier at 70-foot level
 - Third carrier may need additional shelter
 - If Verizon or current user expanded, no additional shelter needed

Motion:

On a motion made by Leo Dierckman and seconded by Earlene Plavchak

Docket No. 09040003, Verizon 116th/Rangeline Shed, be approved.

MOTION CARRIED UNANIMOUSLY

5h. Happy Everything Catering Home Occupation

The applicant seeks the following development standards variance approval for a home-based occupation:

Docket 09040004 V Section 25.18.01.A. Home occupation square footage over 15% G.F.A.

The site is located at 1207 Orchard Park North Drive and is zoned S2/Single-family residential .

Filed by Clayton and Allyson Milender, owners.

Present for the Petitioner:

Allyson and Clayton Milender, 1207 Orchard Park North Drive, Indianapolis

- 116th and Range Line deli closed to public; catering only
- Additional prep work space out of their house
- Trays for meals 25+
 - Delivery only from home location
 - 90% corporate
- Two person operation; no outside employees
- Used for middle of the night reheat
- Home kitchen suggested by the Hamilton County Board of Health
- No customer consultations or pick up
- Everything delivered complete; no return of utensils

Public Hearing closed.

Department Report:

Christine Barton-Holmes

- Several uses permitted as home base occupation at less than 15% floor area
- Dining room/office use
- No impact on surrounding residences
- No serving of food or beverages
- Permitted use, but size of commercial kitchen is problem
- Two staff members
- Only external change is removal of garage door and replaced with matching siding
- No signage
- Secondary kitchen only

Department recommended positive consideration.

Motion:

On a motion made by James Hawkins and seconded by Madeleine Torres:

Docket No. 09040004 V, Happy Everything Catering Home Occupation, be approved.

MOTION CARRIED UNANIMOUSLY

6-7h. Rangeline Commercial TABLED to June 22, 2009

The applicant seeks the following development standards variance approvals for building restoration:

Docket 09040005 V Section 23D.03.A.1.a.ii Lot width reduced to 45' for all uses

Docket 09040006 V Section 23D.03.A.1.a.iii Lot coverage increased to 60% residential/80% commercial

The three sites are located at 411-431 North Rangeline Road

Filed by David Barker of Barker Law for I.E. Investments, LLC.

8h. Lowe's Outdoor Storage

The applicant seeks the following development standards variance approval to create permanent outdoor storage:

Docket No. 09040024 V Section 27.08 Parking regulations Reduction in required parking

The site is located at 14598 Lowe's Way and is zoned PUD.

Filed by Peter Velde of Kightlinger & Gray, LLP for Lowe's Home Centers, Inc.

Present for the Petitioner:

Peter Velde, 151 N. Delaware, Suite 600, Indianapolis, IN

- Handout distributed
- Sherry Luckey, Property Manager for Lowe's in corporate headquarters
- Clay Clement, Regional Vice President
- Shawn Cloud, Division Manager
- Todd Byczek, Local Store Manager
- Site plan; SW corner 146th Street and Lowe's Way
- Surrounding uses
 - North: 146th Street Westfield shopping centers
 - West: US 31 and Keystone interchange with shopping
 - South: couple restaurants and vacant lots along Keystone Avenue
 - East: across Lowe's Way, grassy area, brick wall and residential subdivision
- Existing store shown

- Solve problems
 - Small garden center
 - Citizens are demanding significant amount of plant quality & materials
- Since Wednesday, May 13, complete compliance with outdoor storage issue of ordinance
 - Numerous comments and complaints from customers looking for product
 - \$60,000 revenue lost over weekend while in compliance
- Staff recommended variance be granted
 - Expand garden center into part of the east parking lot
 - Eliminate two rows of parking; 43 spaces from underused east side of parking lot
 - Will not create negative parking impact
 - Remainder of store stay same
 - Conversations with Staff regarding revisions to Staff comments
- Approval will not be injurious to public health, safety, morals, and general welfare
- Use and value of adjacent area not affected adversely
- Project estimated \$650,000 to \$750,000
 - Permanent, all brick, architectural features similar existing building
- Hardship: not able to supply needs of citizens

Remonstrance:

Ron Carter, City Councilor-at-Large, 14 years

- Conveniently left out: PUD states Lowe's would not have outdoor sales
- 3 emails from citizens
 - Lowe's employees told them City enforcing ordinance unjustly
 - They can not get needed products
 - City should let economy work
- Talked and talked about compliance with their own promise: not to have outdoor sales
 - Contacted repeatedly over the years by the building inspectors
 - Thumbed their nose at the City
- Suggested tabling request
 - May not get Plan Commission approval for expansion
 - In future may decide not large enough and be outside the store again
 - Initial store was going to handle all product sales inside
 - Maybe never intended that to be the case
 - Maybe ignore as a cost of business regardless of what City said
- Little faith in Lowe's Corporation abiding by agreements
- May need approval by City Council
- May need to change PUD to levy substantial fines if PUD violated
- Table until compromise is reached through Plan Commission, City Council and City Attorney

Rick Sharp, City Councilor, District 1

- Echo Ron Carter's comments
- Egregious failure to not keep their word
 - No one forced the agreement
 - US 31 corridor protected, prestigious location
 - Special Studies Chairperson during Lowe's approval process
 - Serves retail function, but masks identity and blends
 - No outdoor retail displays or sales at this property

- PUD is opportunity to write your own zoning ordinance
 - Written by Lowe's
 - Promised not to engage in this activity
- Likes Lowe's; number of Carmel residents employed by Lowe's
- Allowed to move forward with this variance; no assurance for future
- If not hefty penalty in place, future could bring riding lawn tractors, push mowers, Christmas trees, blow up ornaments for yards, etc requested by customers
- Table until plan approved by Plan Commission, subject to receipt of variance
- Local employees are doing their job
- However, Lowe's Corporation is not a reliable partner
 - Need to demonstrate they will fulfill their commitments

Kevin Rider, City Councilor and representative to Plan Commission

- Eventually should get approval
- Problem is giving approval to someone who has proven they do not follow rules
- Need something in place to make it painful
- Until current on fines and compliant, hard to give additional requests
- Show willing to follow rules they agreed to before they built store

Jack Badger, 3039 Rolling Springs Drive

- Big customer of Lowe's for home renovation & improvements
- Each time flowers all stored outdoors
- Asked about outdoor sales commitment
- They pay fines as way of business
- Should follow agreement in PUD
- Table until reviewed by Plan Commission and City Council

Doug Haney, City Attorney, 13828 Smokey Ridge Drive

- Loves Lowe's for home renovations
- Confirmed last 3 years consistently in violation with outdoor sales
- Written correspondence and visits by City Inspectors to address issue
 - Nothing to date
 - Discussions in last few days may lead to resolution of outstanding citations
 - Process of negotiations
- Lack of commitment to follow City Code
- Should be held to promises

Public Hearing closed.

Rebuttal:

5 minutes permitted

Peter Velde

- Ordinance does not prohibit outside sales
- Ordinance talks about outside storage and display
- Only issue Lowe's has not complied with in PUD
- If can not handle demand – build another new store

- Fines have been paid
 - 2007 only 2 citations
 - 2006 4 citations
- Inconsistency in what is and is not outside storage
- Do not need to table variance
- Investing \$750,000; do not want project delayed
 - Money is available
 - Ready to let bids
 - Starting Fall 2008 have been working on plans with City for this expansion
- Does not look like any other Lowe's in the United States
 - Impressive building looks like corporate headquarters
- Remonstrance does not negate three Findings of Fact
 - Not injurious to public - expanding existing garden center to allow 17,000 to 18,000 square feet
 - Ordinance applied is injurious to Lowe's; can not expand any place else
- Will go to Plan Commission for ADLS/DP Amend approvals
- Mr. Clement will attest to no more violations
- Need expansion to serve people of Carmel
- Grant variance subject to DP amendment approval

Department Report

Christine Barton-Holmes

- One part of very large puzzle
- Allow reduction in parking for increase in existing garden center
- Governed by PUD which states "no outside unenclosed storage of refuse whether or not in containers or merchandise other than the merchandise contained in an attached garden center shall be permitted on any tract."
 - Any accessory structure designed for storage shall be architecturally compatible
- Proposed expansion to solve problem of storage of material, merchandise, sales, etc. outside the walls of the building which is not permitted in the PUD or anywhere in the US 31 Overlay
- Working with Petitioner for good resolution on design of garden center

Department recommended positive consideration to allow for containment of all the merchandise on site within the walls of the garden center as required by the PUD.

Discussion:

- Met in May with Plan Commission Hearing Officer and strategic planning
 - Issues with designs
 - Knee wall, columns, wrought iron fence with black mesh behind it
 - Staff concerned with mesh
 - Mesh and wrought iron eliminated
 - Will be solid brick with landscaping
 - Indented brick areas included to match building
 - Artist rendering will be submitted
 - Landscaping plan had been approved before fence changes
 - Will appear at June 2, 2009 Special Studies meeting
- Currently in litigation

- No court date set
- Conversations with City Attorney
 - Can not comment further
- Intend to resolve
- No fines outstanding; just charges
 - Quite a few citations in 2009
 - Four citations in 2008 over one weekend
 - Told to put items under portico or rear of building; next year in violation
 - Shrink wrapped items from trucks in rear OK one year; next year in violation
 - Everything cleaned up at this time after three years
- Plans have been revised including drainage issues
- Plan Commission meeting continued
 - Problems with architecture
 - Trouble with past history
 - Hoped BZA would take action
 - With dual Boards, hard to determine which should decide first

Motion: On a motion made by Kent Broach and seconded by Leo Dierckman:

Docket No. 09040024 V, Lowe's Outdoor Storage, would be tabled to the June 22, 2009 meeting.

MOTION CARRIED UNANIMOUSLY

Public Hearing - Old Business:

ii. 646 Johnson Drive Appeal TABLED to June 22, 2009

The applicant seeks the following permit issuance appeal:

Docket No. 09020014 Appeal Appeal of Permit No. 09010003 Accessory Structure Size

The site is located at 646 Johnson Drive and is zoned R1/Single-family residential

Filed by: Howard & Holly Green; John & Beryl Colosimo; James & Laura Dunn; Judy Wagner; and Michael & Susan Shaw, neighbors.


Motion: On a motion made by Madeleine Torres and seconded by Earlene Plavchak

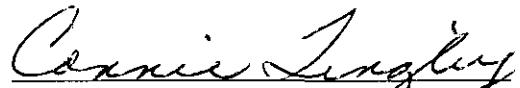
The Meeting be adjourned.

MOTION CARRIED UNANIMOUSLY

The meeting adjourned at 8:15 PM.

Approved this 22 day of June 2009.


President - James R. Hawkins


Secretary - Connie Tingley